

EXHIBIT A

Confidential
ILYAS KHRAPUNOV - 02/02/2018

1 *** CONFIDENTIAL ***
2 STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4

5 CITY OF ALMATY, KAZAKHSTAN,
6 and BTA BANK JSC,
7

8 Plaintiffs,
9 v.
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11 MUKHTAR ABLYAZOV, ILYAS,
12 KHRAPUNOV, VIKTOR KHRAPUNOV
13 and TRIADOU SPV SA,
14

15 Defendants.
16

17 Case No. 1:15-cv-05345
18

19 Videotaped deposition of:
20

21 ILYAS KHRAPUNOV
22 (Vol. II)
23

24 taken at the offices of:
25

26 LaLive
27 35 Rue de la Mairie
28 1211 Geneva
29 Switzerland
30

31 on Friday, February 2nd, 2018
32 commencing at 8.40 am
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1 [REDACTED] journalists to spread, for example, any kind of
2 favourable and obviously disfavourable news
3 favourable news to them, disfavourable news to us, and
4 so this kind of process just eliminates any
5 possibility to conduct any normal business activity.

6 Q. And were the --

7 MR SCHWARTZ: Objection. Non-responsive.
8 Narrative answer. Move to strike.

9 MR KENNEY: I take it all of these articles
10 and accusations had a negative impact on your
11 business?

12 A. Very much so.

13 Q. And was there any truth to the articles
14 or accusations that were being made?

15 MR SCHWARTZ: Objection.

16 A. Those articles were very much defamatory
17 and libellous in nature and actually are now part of
18 several criminal complaints targeting Kazakh --
19 various Kazakh entities and people for being
20 manufactured as -- intentionally as defamatory
21 articles.

22 MR KENNEY: And did there come a time when
23 you experienced hacking on your own electronic
24 equipment?

25 A. Yes.

1 Q. And when was that? What time frame?

2 A. So there was heavy I would say daily
3 attempts at hacking that were happening between 2012
4 and up to 2014. Those were very active and then since
5 then also there was always constant attempts to
6 hacking that happened.

7 Q. And did the -- did you experience
8 hacking on any of your business associates or
9 customers?

10 A. Yes. Kazakhstan basically cast a very
11 wide net. So it went after any person who has some
12 kind of a relationship with -- with me or my family.
13 So lawyers, law firms, let's say peer company,
14 business associates, employees and a lot of them were
15 successfully hacked.

16 Q. And did you -- did you complain to the
17 government about this hacking?

18 A. Yes, I complained, but also my family
19 complained, as a lot of our service providers made
20 their own criminal complaints for hacking in various
21 jurisdictions, including Switzerland.

22 COURT REPORTER: Could we just pause for
23 a second?

24 MR. KENNEY: Sure.

25 COURT REPORTER: Could we go off the record

1 [REDACTED]

2 MR KENNEY: And are criminal complaints --

3 COURT REPORTER: Could we just --

4 MR KENNEY: Oh, I'm sorry.

5 VIDEOGRAPHER: This is end of tape number 2
6 in the deposition of Ilyas Khrapunov. Going off the
7 record at 12:42.

8 [REDACTED] off the record

9 VIDEOGRAPHER: This is the beginning of tape
10 number 3 in the deposition of Ilyas Khrapunov. Going
11 on the record at 12:50.

12 MR KENNEY: Now let me ask you what is the
13 effect of hacking when it occurs through your computer
14 in your office?

15 MR SCHWARTZ: Objection.

16 A. So, I mean, it's probably technical, but
17 in the complaint that we filed there was certain work
18 that was done by Swiss Federal Police and Swiss
19 prosecutors, Federal Prosecutor Office, which in its
20 analysis came to conclusion that basically there was a
21 -- messages that were made to appear, to look as if
22 they come from someone you know -- so I think they
23 call them phishing or something like that -- and
24 that -- but really inside them there's a virus and
25 that particular viruses were with the aim of taking

1 control of your device, so the computer or the phone,
2 and also to effect afterwards that information to be
3 sent somewhere to location wherever the sender wanted
4 -- of the virus wanted it to be, and in their analysis
5 I believe they also concluded that there is -- that
6 this Kazakhstan government is involved some way with
7 this hacking.

8 MR. KENNEY: Are there presently complaints
9 or criminal complaints pending?

10 A. Yes, there's pending active criminal
11 complaints as to their regard.

12 Q. Let me direct your attention to the
13 latter part, the fall of 2013. During that time where
14 was your office located?

15 A. I believe it was 3 Rue du Mont-Blanc.

16 Q. And where was Mr Bourg's office located?

17 A. It was on Rue Plantamour.

18 Q. And where was Mr Foucher's office
19 located.

20 A. I believe it was somewhere in Rue du
21 Marché.

22 Q. So how far away was Mr Bourg's office
23 from your office?

24 A. It was behind Kempinski. So in Geneva
25 Geneva people are very spread in terms of distances.